

Docket No. 740630-78
Serial No. 10/829,402
Page 5

REMARKS

Filed concurrently herewith is a Request for a One-Month Extension of Time which extends the shortened statutory period for response to May 7, 2005. Accordingly, Applicants respectfully submit that this response is being filed timely under the next business day rule.

The Official Action dated January 7, 2005 has been received and its contents carefully noted. In view thereof, claims 2, 3, 5, 6, 8-12, 14 and 15 have been canceled in their entirety without prejudice nor disclaimer of the subject matter set forth therein while claims 1, 4, 7 and 13 have been amended in order to better define that which Applicants regard as the invention. Accordingly, claims 1, 4, 7 and 13 are presently pending in the instant

With reference now to the Official Action and particularly page 2 thereof, the drawings have been objected to under 37 C.F.R. §1.83(a) in that the drawings must show every feature of the invention specified in the claims. Particularly, the Examiner notes that the subject matter set forth in claim 11, particularly "forming beads at least in peripheral parts of the spare tire storage space" must be shown or the feature canceled from the claims. As can be seen from the foregoing amendments, claim 11 has been canceled in its entirety without prejudice nor disclaimer of the subject matter set forth therein. Accordingly, it is respectfully submitted that Applicants several figures now show every feature of the invention specified in the claims. Therefore, it is respectfully requested that this objection be reconsidered and withdrawn by the Examiner.

With reference now to paragraph 3 of the Office Action, claims 1-3 have been rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,703,261 issued to McLeod et al. This rejection is respectfully traversed in that the patent to McLeod et al. neither discloses nor remotely suggests that which is presently set forth by Applicants' claimed invention.

Docket No. 740630-78

Serial No. 10/829,402

Page 6

As can be seen from the foregoing amendments, independent claim 1 has been amended to recite a resin made floor panel structure applied in a vehicle floor comprising a floor panel made of resin and a trunk board made of resin disposed so as to cover the floor panel wherein a foam layer having foams exposed at least in part is provided only the side of the trunk board facing the floor panel and the foamed layer with partially exposed foams includes exposed portions of which the foams are exposed to the side facing the floor panel and covered portions of which the foams are covered with skin layers on the side facing the floor panel and the exposed portions and the covered portions are combined depending on a frequency band determined as an object of attenuation. Clearly, the patent to McLeod et al. neither discloses nor remotely suggests such features.

Particularly, the invention as set forth in independent claim 1 is directed to a resin made floor panel structure applied in a vehicle floor which includes a floor panel made of a resin and a trunk board made of resin disposed so as to cover the floor panel. More specifically, the invention set forth in independent claim 1 is directed to a resin made floor panel structure capable of attenuating noise effectively with respect to a particular specific frequency band among the noises transmitted from beneath the trunk board to the compartment of the motor vehicle.

With reference to Fig. 3, the present invention is readily appreciated wherein the exposed portions of the foams Bp are exposed and the covered portions of which the foams are covered with skin layers Bs are combined depending on a frequency band determined as an object of attenuation. Accordingly, as shown by the arrow set forth in Fig. 3, a noise of a specific frequency band gets into the foamed layer Pb through the portion of the exposed foam and part of the energy is directly absorbed by the porous foams Pb so that the sound is effectively absorbed. More specifically, as can be appreciated from the arrow in Fig. 3, once

Docket No. 740630-78
Serial No. 10/829,402
Page 7

the noise gets into the foamed layer Pb through the exposed part which is not covered by the solid skin layer Bs is reflected by the solid skin layers Bs and consequently does not leak to the outside from the trunk board and thereby the noise is effectively attenuated as the transmission energy is absorbed within the foam Pb.

In rejecting Applicants claimed invention, the Examiner states that McLeod et al. discloses a resin made floor panel structure applied in a vehicle floor comprising a floor panel and made of resin and a trunk board of a resin disposed so as to cover the floor panel wherein a foamed layer 55 having foams exposed at least in part is provided only on the side of the trunk board facing the floor panel as noted in Fig. 4. The Examiner further goes on to reject dependent claims 2 and 3 stating that McLeod et al. discloses the resin made floor panel structure wherein the foamed layer includes partially exposed foams and that the resin made floor panel structure of McLeod et al. includes a foamed layer 55 with partially exposed foams includes exposed foams and a foams covered with skin layer which are combined depending on the frequency band determined as the object of attenuation as noted in Fig. 4. However, in reviewing the teachings of McLeod et al. it is nowhere disclosed nor remotely suggested that the trunk board include a foamed layer with partially exposed foams including exposed portions of which the foams are exposed to the side facing the floor panel and covered portions of which the foams are covered with skin layers on the side facing the floor panel and that the exposed portion and the covered portions are combined depending on a frequency band determined as an object of attenuation. Particularly, it is noted that McLeod et al. with reference to Fig. 4, merely recites in col. 5, lines 21-31, that the assembly 10 includes a sound abatement layer or specifically, Fig. 4 also shows a sound abatement layer 52 secured to the sidewall 26, floor 18 and a sound abatement layer 53 secured to the post 34 of the wheel assembly 10. It is preferred that the sound abatement layer not contact the

Docket No. 740630-78
Serial No. 10/829,402
Page 8

mounting flange 28. Particularly, a sound abatement layer 55 may be secured to one or both sides of the top 44. The sound abatement materials may be molded in place or foamed in place. Preferably, the noise abatement materials include any adequate foam, filled foam, filled elastomeric sheet or injection moldable filled material. Nowhere does this reference disclose or remotely suggest including a trunk board made of resin wherein the foamed layer of the trunk board facing the floor panel includes partially exposed foams on the side facing the floor panel and covered portions where the foams are covered with skin layer on the side facing the floor panel as is specifically recited by Applicants' claimed invention.

While the Examiner's rejection states that the foamed layer 55 includes partially exposed foams and foams covered with a skin layer, it is unclear which portion of the McLeod et al. reference recites such features. Furthermore, it is unclear where the McLeod et al. reference makes reference to or remotely suggests that the exposed foam portions and portions covered with the skin layer are combined depending on the frequency band determined as the object of attenuation as is specifically recited by Applicants' claimed invention. That is, it is respectfully submitted that the McLeod et al. reference teaches nothing more than the conventional well-known techniques and clearly fails to disclose or remotely suggest that which is presently set forth by Applicants' claimed invention. Therefore, in view of the foregoing it is respectfully requested that the rejection of claims 1-3 be reconsidered and withdrawn by the Examiner in view of the foregoing discussion.

Returning now to paragraph 5 of the Office Action, claims 4-15 have been rejected under 35 U.S.C. §102(a) as being anticipated by or in the alternative under 35 U.S.C. §103(a) as being obvious over McLeod et al. Again, this rejection is respectfully traversed in that the patent to McLeod et al. neither discloses nor remotely suggests that which is presently set forth by Applicants' claimed invention.

Docket No. 740630-78
Serial No. 10/829,402
Page 9

As noted hereinabove, it is respectfully submitted that McLeod et al. neither discloses nor remotely suggests a floor panel and a trunk board configuration for a motor vehicle as set forth in accordance with Applicants' claimed invention. Again, as can be seen from the foregoing amendments, each of independent claims 4, 7 and 13 have been amended to include features similar to those discussed hereinabove with respect to independent claim 1. That is, independent claim 4 recites that the foamed layer with partially exposed foams includes exposed portions of which the foams are exposed to the side facing the floor panel and covered portions of which the foams are covered with skin layers on the side facing the floor panel and the exposed portions and the covered portions are combined depending on the frequency demand determined as an object of attenuation.

Similarly, independent claim 7 has been amended to recite that the foamed layer partially exposed foams includes exposed portions of which the foams are exposed to the side facing the trunk board and covered portions of which the foams are covered with skin layers on the side facing the trunk board such that the exposed portions and the covered portions are combined depending on a frequency band determined as an object of attenuation. As noted hereinabove, the patent to McLeod et al. merely discloses sound abatement layers 52 and 53 provided on the outer side of the sidewall 26 of the trunk floor 18 as well as a sound abatement layer 55 on a side of the trunk board facing the floor 18. Again, as noted hereinabove, this reference clearly fails to disclose or remotely suggest that portions of the foams are covered with skin layers and that the exposed portion and skin layers are combined depending on a frequency band determined as an object of attenuation. Accordingly, it is respectfully submitted that each of independent claims 4 and 7 clearly distinguish over the teachings of McLeod et al. and are in proper condition for allowance.

With respect to independent claim 13, this claims likewise recites features neither

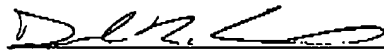
Docket No. 740630-78
Serial No. 10/829,402
Page 10

disclosed in nor remotely suggested by McLeod et al. Again, as with the above-mentioned claims, independent claim 13 recites that the foamed layer of the trunk board facing the spare tire storage includes exposed portions and portions covered with a skin layer on the side of the spare tire storage space facing the trunk board. Furthermore, the exposed portions and covered portions are combined depending on the frequency band determined as an object of attenuation. Again, these features are clearly nowhere to be found in the teachings of McLeod et al. Accordingly, it is respectfully submitted that each of independent claims 4, 7 and 13 are likewise clearly distinguish over the teachings of McLeod et al. and are in proper condition for allowance.

Therefore, in view of the foregoing it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1, 4, 7 and 13 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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